

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA)	
)	
v.)	No. 3:07-CR-67
)	
JOSEPH DILLARD)	

MEMORANDUM AND ORDER

This criminal case came before the court for a hearing on July 8, 2008, on the motion of counsel for the defendant seeking to withdraw due to a recently discovered conflict of interest [doc. 53]. For the reasons stated in the motion and the reasons discussed in court, it is hereby **ORDERED** that the motion is **GRANTED**. It is further **ORDERED** that Attorney Michael McGovern is **APPOINTED** to represent the defendant in any further proceedings related to this criminal case.

Due to the necessity of appointing new counsel on the eve of the trial date, the parties agreed that the trial of this criminal case will have to be continued. Mr. McGovern will necessarily require some time to investigate the case and prepare to represent the defendant on the charges. The government has no objection to the continuance. The court finds that the ends of justice served by granting the motion outweigh the best interests of the public and the defendant in

a speedy trial. 18 U.S.C. § 3161(h)(8)(A). The court finds that the failure to grant the defendant's motion would deny his counsel the time necessary to investigate the case and prepare the case for trial. 18 U.S.C. § 3161(h)(8)(B)(iv). Therefore, all the time from the appointment of Mr. McGovern and the oral motion for a continuance to the new trial date is excludable as provided by the Speedy Trial Act. 18 U.S.C. § 3161(h)(8)(A).

It is hereby **ORDERED** that the trial of this criminal case is **CONTINUED** to November 17, 2008, at 9:00 a.m.

ENTER:

s/ Leon Jordan
United States District Judge